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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,259	09/19/2003	Jason Dondlinger	92/D03-008A	1150

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EXAMINER

REDMAN, JERRY E

ART UNIT	PAPER NUMBER
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3634

MAIL DATE	DELIVERY MODE
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07/01/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/667,259

Applicant(s)

DONDLINGER ET AL.

Examiner

Jerry Redman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-16, 34-41 and 43-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-16, 34-41, and 43-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Status of the claims is as follows:

Claims 1, 17-33, and 42 have been cancelled; and

Claims 2-16, 34-41, and 43-51 (50-51 newly added) are herein addressed below.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 6-9, 11-16, 34-36, 38, 40, 41, 43, 44, 46, and 48-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ganzinotti (3,341,974) in view of Van Dyk (4,371,175). Ganzinotti ('974) discloses a door system comprising a door exposed to an atmosphere of air comprising a door member (2, fixed), a door panel (3 or 7) that is movable relative to the door member (2), an inflatable seal (8, along the top and side or along the side and bottom) between the door member (2) and the door panel (3 or 7) having an air inlet (8b), an air outlet (8c) to atmosphere via the seal (8). Ganzinotti ('974) further discloses a pressure reducer (10, via a pump/blower) connected to either the door member (2) or door panel (3 or 7) via flexible pipes (column 2, lines 40-45) and a heating element (12). Figure 3 of Ganzinotti ('974) discloses the release of air along the bottom portion of the door panel (3 or 7) and Figure 4 discloses the air moving back through a fluid mover (i.e., pump/blower/fan). Ganzinotti ('974) fails to disclose a seal with thermal insulation. Van Dyk (4,371,175) discloses an inflatable seal having thermal

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insulation (the inner layer). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the seal of Ganzinotti ('974) with thermal insulation as taught by Van Dyk (4,371,175) since thermal insulation provides more heat transfer and thereby increases the efficiency of the system by preventing the build-up of frost.

Claims 2, 4, 5, 10, 37, 39, 45, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ganzinotti ('974) in view of Van Dyk (4,371,175) and further in view of Knap (4,150,509). Ganzinotti ('974) discloses a door system comprising a door exposed to an atmosphere of air comprising a door member (2, fixed), a door panel (3 or 7) that is movable relative to the door member (2), an inflatable seal (8, along the top and side or along the side and bottom) between the door member (2) and the door panel (3 or 7) having an air inlet (8b), an air outlet (8c) to atmosphere via the seal (8). Ganzinotti ('974) further discloses a pressure reducer (10, via a pump/blower) connected to either the door member (2) or door panel (3 or 7) via flexible pipes (column 2, lines 40-45) and a heating element (12). Figure 3 of Ganzinotti ('974) discloses the release of air along the bottom portion of the door panel (3 or 7) and Figure 4 discloses the air moving back through a fluid mover (i.e., pump/blower/fan). Ganzinotti ('974) fails to disclose the following: the panel translates, the door member is a sliding panel, and a floor associated with the door member. Knap ('509) discloses an inflatable door system for a pair of sliding/translating door panels within a floor/sill (1). It would have been obvious to one of ordinary skill in the art at the time of the invention to

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provide the door system of Ganzinotti ('974) with a pair of sliding panels guided along a floor as taught by Knap ('509) since two sliding panels provides a larger opening within a wall to be exposed thereby allowing greater movement of material and goods therethrough.

The applicant's arguments have been considered but are not deemed persuasive. The action above was corrected to state that by providing Ganzinotti with thermal insulation, the heat transfer is increased thereby preventing the build-up of frost. This combination does not teach away from the teachings of Ganzinotti ('974) but rather understands and solves the problem of frost build-up about a freezer opening. With respect to the applicant's arguments of Van Dyk, it appears that the applicant is arguing the references individually and not the combination thereof.

/Jerry Redman/
Primary Examiner, Art Unit 3634